



US Army Corps
of Engineers
Memphis District

Public Notice

REPLY TO ATTN: Roger Allan
U.S. Army Corps of Engineers
167 North Main Street, Room B-202
Memphis, Tennessee 38103-1894
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POSTMASTER PLEASE POST UNTIL:

PUBLIC NOTICE NO:
MVM-2006-410-RSA

PUBLIC NOTICE DATE:
August 11, 2006

EXPIRATION DATE:
September 11, 2006

Public Notice Corps of Engineers

AUTHORITY: Pursuant to 33 CFR 325, as published in the Federal Register dated November 13, 1986, this notice announces an application submitted for a Department of the Army permit under Section 404 of the Clean Water Act.

APPLICANT: Amy M. Crowley
Tennessee Department of Transportation
Environmental Permits Office
Suite 900, J.K. Polk Building
505 Deaderick Street
Nashville, Tennessee 37243
(615) 253-2466

LOCATION: The project is located along State Route 76 between a point west of Sydnor Road and the existing 5-lane roadway in McKenzie, Carroll County, Tennessee. Wetland impacts are proposed at approximate latitude 36.0864° and longitude -88.5530° on the Trezevant East, TN, USGS topographic quadrangle. This area is shown on the attached location map (attachment 1).

PURPOSE: The applicant's stated purpose of the proposed project is to improve the vertical and horizontal alignment along the road.

DESCRIPTION OF WORK: The proposed project involves the widening of State Route 76 from a point west of Sydnor Road to the existing 5-lane section of SR-76 in McKenzie, Carroll County, Tennessee. As proposed, this project would entail permanent impacts to approximately 0.984 acre of wetlands and temporary impacts to approximately 0.208 acre of wetlands near the western edge of the project area.

Impacts are proposed to wooded and herbaceous wetlands. Common tree species within the wetlands east of SR-76 include black willow (*Salix nigra*), sweetgum (*Liquidambar styraciflua*), and willow oak (*Quercus phellos*). Shrub-layer vegetation includes willow oak and sweetgum saplings. Herbaceous vegetation includes lizard's tail (*Saururus cernuus*) and soft rush (*Juncus effusus*). Other wetlands within the project area include black willow and sweetgum saplings as well as soft rush, milkweed (*Asclepias* sp.), blackberry (*Rubus* sp.), and red-top panic grass (*Panicum rigidulum*). Details of this project are shown on attachment 2.

The applicant proposes to mitigate permanent wetland impacts by debiting 1.97 acres of credits (a 2:1 ratio) from the Obion County Wetland Mitigation Bank. The applicant has proposed to mitigate temporary impacts to wetlands by restoring these areas to their original contours and planting native bottomland hardwood trees. Trees would be planted on ten-foot centers and would include the following species: American beech (*Fagus grandifolia*), sycamore (*Platanus occidentalis*), boxelder (*Acer negundo*), green ash (*Fraxinus pennsylvanica*), and southern red oak (*Quercus falcata*).

In addition to the proposed wetland impacts, the applicant proposes to replace the existing crossings at two unnamed stream channels near the eastern end of the project area. These impacts meet the criteria of Nationwide Permit 14 (Linear Transportation Crossings).

The deposition of fill or dredged material into waters of the U.S., including adjacent wetlands, requires Corps authorization.

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WATER QUALITY CERTIFICATION: The applicant should request water quality certification from the Tennessee Department of Environment and Conservation, Division of Water Pollution Control that the activity will comply with applicable requirements set forth in 33 U.S.C. and 1341(a)(1) of the Clean Water Act and all State laws and regulations promulgated pursuant thereto. This certification or evidence of this water quality certification or waiver of the right to certify must be submitted prior to the issuance of a Corps of Engineers permit. The Corps of Engineers' evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act.

ENDANGERED SPECIES: No endangered or threatened species, or their critical habitat, are known to exist in the project area. However, this application is being coordinated with the U.S. Fish and Wildlife Service. Any comments they may have regarding endangered or threatened wildlife or plants, or their critical habitat, will be considered in our evaluation of the described work.

CULTURAL RESOURCES: The Memphis District will evaluate information provided by the State Historic Preservation Officer, Federally-recognized Tribes, and the public in response to this public notice and we may conduct or require a survey of the project area. A preliminary search of in-house records indicated no sites have been recorded within the project area. However, the lack of recorded sites may be due to lack of cultural surveys around the project area.

FLOOD PLAIN: In accordance with 44 CFR Part 60 (Flood Plain Management and Use), participating communities are required to review all proposed development to determine if a flood plain development permit is required. Flood plain administrators should review the proposed public notice and apprise this office of any flood plain development permit requirements.

PUBLIC INTEREST REVIEW: The purpose of this public notice is to advise all interested parties of the activities for which a permit is sought and to solicit comments and information necessary to evaluate the probable impact on the public interest.

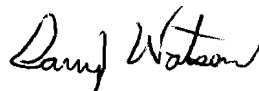
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Federally recognized Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reason for holding a public hearing. The District Engineer will determine if the issues raised are substantial and whether a hearing is needed for making a decision.

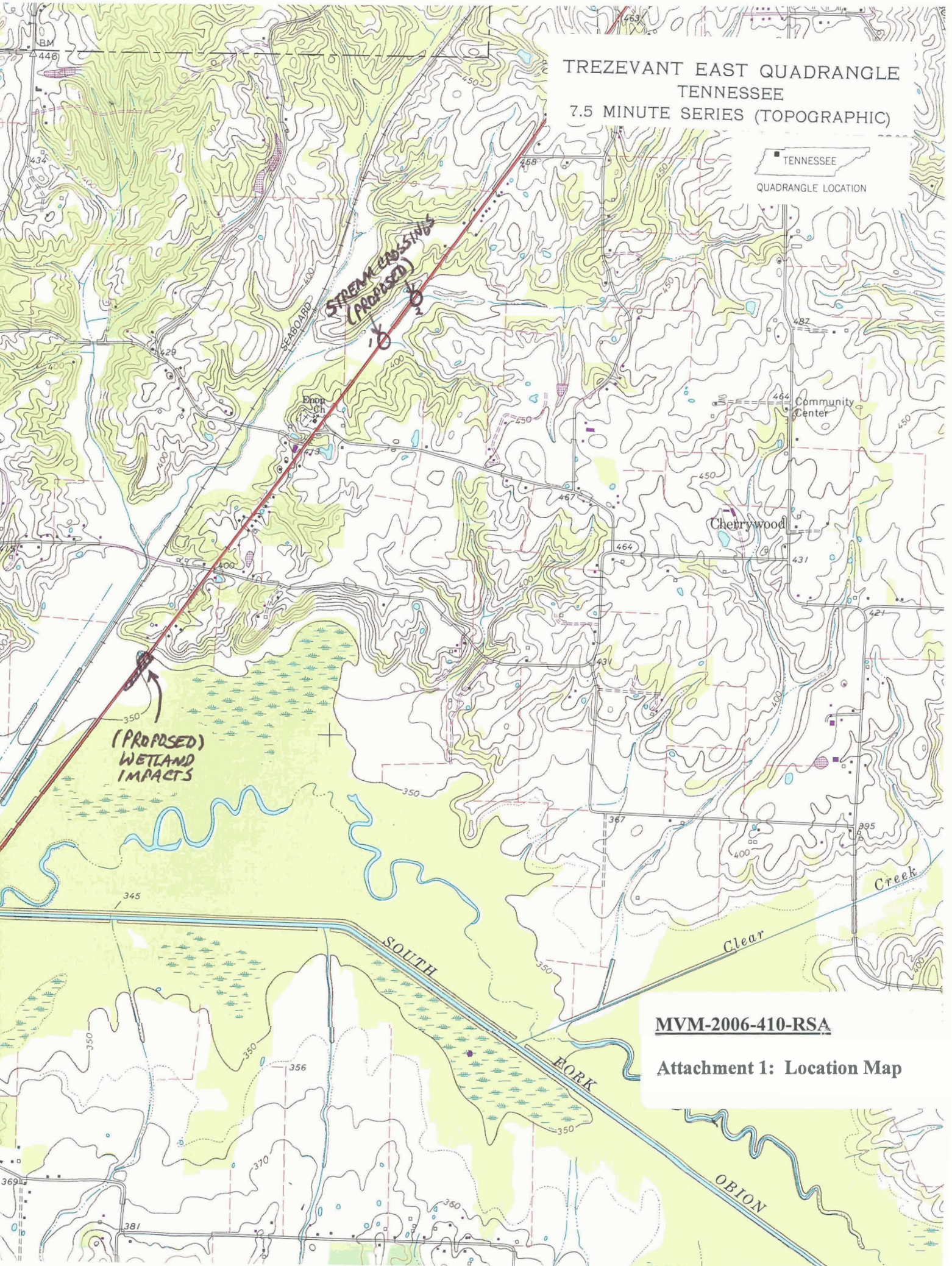
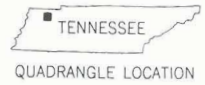
COMMENTS OR REQUEST FOR ADDITIONAL INFORMATION: If you wish to obtain additional information or to submit comments on the application, please contact Roger Allan at the U.S. Army Corps of Engineers, 167 North Main Street, Room B-202, Memphis, Tennessee 38103-1894, telephone (901) 544-3682. Copies of all comments, including the names and address of commenters, may be provided to the applicant for consideration and response prior to a decision by the Corps.

Comments should be received by September 11, 2006.



Larry D. Watson
Chief
Regulatory Branch

TREZEVANT EAST QUADRANGLE
TENNESSEE
7.5 MINUTE SERIES (TOPOGRAPHIC)



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Attachment 1: Location Map

